

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOANNE MCWHORTER

Plaintiff

-vs-

COMMISSIONER OF SOCIAL
SECURITY

Defendant

: CASE NO. 1:13 CV 1708

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ORDER ADOPTING THE
MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff JoAnne McWhorter seeks judicial review pursuant to 42 U.S.C. § 405(g) of Defendant Commissioner's final determination denying her claim for Supplemental Social Security Income ("SSI") under Title XVI of the Social Security Act, 42 U.S.C. §1381 (Doc. 1). This case was automatically referred to United States Magistrate Judge Vernelis K. Armstrong pursuant to Local Civil Rule 72.2(b). In her Report and Recommendation ("R&R")(Doc. 17), Magistrate Judge Armstrong recommends that the Court reverse the Commissioner's decision and remand, pursuant to 42 U.S.C. §405(g), for the purpose of properly evaluating the opinion of the plaintiff's treating physician.

Pursuant to 28 U.S.C. §636(b)(1), this Court makes a de novo determination of those portions of the Report and Recommendation to which a timely objection is made. In this instance, no objections have been filed. Therefore, Magistrate Judge Armstrong's recommendation is accepted and the Commissioner's decision is reversed

and the case is remanded consistent with the findings of the hereby adopted Report and Recommendation.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 1 April 2014